

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**LOUIS BERNARDO SCOTT, JR.,**

**Plaintiff,**

**v.**

**FRED FIGUEROA, et al.,**

**Defendants.**

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**Case No. CIV-14-812-R**

**ORDER**

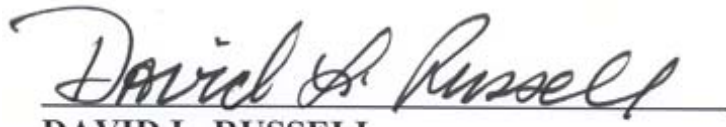
Before the Court is the Report and Recommendation of United States Magistrate Judge Shon T. Erwin entered September 19, 2014. Doc. No. 8. Plaintiff has filed an Objection to the Magistrate Judge's conclusion in the Report and Recommendation. Doc. No. 9. Pursuant to 28 U.S.C. § 636(b)(1)(B), the Court reviews the Report and Recommendation de novo in light of Plaintiff's objections.

Plaintiff filed this action pursuant to 42 U.S.C. § 1983 alleging violation of his constitutional rights during his incarceration at North Fork Correctional Facility. Judge Erwin recommends dismissal of this action without prejudice due to Plaintiff's failure to cure deficiencies in his request for leave to proceed in forma pauperis, which were identified for him in an order dated August 25, 2014, but which he nevertheless failed to cure. Plaintiff objects to the Report and Recommendation, however therein he fails to present the requisite information that Judge Erwin informed him was missing from his August 22, 2014 motion.

The Court hereby adopts the Report and Recommendation of the Magistrate Judge to the extent that it recommends that the application for leave to proceed in forma pauperis be denied. Plaintiff is hereby ordered to tender the \$400.00 filing fee to this Court not later than October 21,

2014. Failure to tender the fee will result in dismissal of this action without prejudice without further notice from the Court.

IT IS SO ORDERED this 8th day of October, 2014.

  
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DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE